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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/086,311	03/01/2002	Daniel Lee Briley	10992014-1	8556
7590 HEWLETT-PACKARD COMPANY Intellectual Property Administration P.O. Box 272400 Fort Collins, CO 80527-2400			EXAMINER JABR, FADEY S	
		ART UNIT 3628	PAPER NUMBER	
		MAIL DATE 05/01/2007	DELIVERY MODE PAPER	

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/086,311	BRILEY, DANIEL LEE	
	Examiner Fadey S. Jabr	Art Unit 3628	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 28 February 2007.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-23,25-31,33-38,40-42 and 44 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-23,25-31,33-38,40-42 and 44 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- .. a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Status of Claims

Claims **24, 32, 39** and **43** have been cancelled. Claims **21, 29, 37** and **41** have been amended. Claims **1-23, 25-31, 33-28, 40-42** and **44** remain pending and are again presented for examination.

Response to Arguments

1. Applicant's arguments filed 28 February 2007 have been fully considered but they are not persuasive.
2. Applicant's arguments with respect to claims **21, 29, 37** and **41** have been considered but are moot in view of the new ground(s) of rejection.
3. Applicant argues that Leon fails to teach using the retrieved information to generate postage information. However, Examiner notes that the SMD generates an indicium and the printer receives and prints the indicium onto a label. The printed indicium label includes a human-readable portion, a machine-readable portion, and an identifier portion (C. 2, lines 47-60). Therefore, Leon discloses a system wherein the retrieved information is used to generate postage information (date, address, postage amount).
4. Applicant argues that a checksum algorithm is not a comparable algorithm to the ones (RSA and DES algorithms) taught in Leon. However, Examiner notes that RSA and DES are comparable algorithms. First, applicant's own disclosure recites that the non-visible marks are used to validate that the postage is not counterfeit, which Leon discloses as the motivation in

using his invisible (taggants) marks. Leon recites, "Taggants can be used to discourage counterfeits... (C. 9, lines 53-60). Also, applicant's disclosure recites:

For instance, processing system 404 first processes the visible mark information to obtain the postage information, such as the postage amount, the date, the origination address, and the destination address. Processing system 404 then processes the non-visible mark information to validate the postage information. The non-visible mark information could comprise a key to the visible mark information. Processing system 404 may use a checksum *or other security confirmation algorithm* to process the visible mark information and the non-visible mark information. The results of the checksum algorithm will indicate whether postage evidence 222 is valid (0037)

Applicant's own disclosure teaches that a checksum algorithm or other security confirmation algorithms, wherein RSA and DES are well known security algorithms, can be used to process the postage information. Therefore, applicant's disclosure teaches that a comparable security algorithm can be used in place of a checksum.

Further, Examiner notes that MIT's DES Library API Functions published May 5, 2001 (see attached) discloses that checksum algorithms are within DES algorithms. Therefore, it shown that a checksum algorithm is within DES algorithm. Further, Harvey et al., U.S. Patent No. 6,487,583 B1, teaches that verification occurs using the MD-5 checksum algorithm of RSA (C. 26, lines 17-42). Thus, once again it is shown that the standard security algorithms, such as RSA and DES, encompass checksum algorithms, and are therefore comparable algorithms. Therefore, it would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify the method of Leon and use any well known standard security algorithm to validate data.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 1-2, 4-5, 7-12, 14-15, 17-20 are rejected under 35 U.S.C. 102(e) as being anticipated by Leon, U.S. Patent No. 6,701,304, hereinafter referred to as Leon.

As per Claims 1 and 11, Leon discloses a method for postage label authentication comprising:

- receiving the mail piece (C. 13, lines 18-33);
- scanning the postage evidence for visible marks and non-visible marks to read visible mark information indicated by the visible marks and non-visible mark information indicated by the non-visible marks (C. 13, lines 18-42); and
- processing the visible mark information and the non-visible mark information to generate postage information for the mail piece (C. 2, lines 21-62).

As per Claims 2 and 12, Leon further discloses wherein the scanning the non-visible marks using an Ultra Violet (UV) light (C. 9, lines 14-25).

As per Claims 4 and 14, Leon further discloses processing the non-visible mark information to validate the postage evidence (C. 9, lines 23-25).

As per Claims 5 and 15, Leon further discloses wherein the non-visible mark information comprises a key to the visible mark information (C. 11, line 63 – C. 12, line 7);

As per Claims 7 and 17, Leon further discloses wherein the visible marks and the non-visible marks comprise a bar code (C. 2, lines 39-46).

As per Claims 8 and 18, Leon further discloses wherein the visible marks and the non-visible marks comprise Information Based Indicia (IBI) (C. 7, lines 51-55).

As per Claims 9 and 19, Leon further discloses wherein the postage information includes a postage amount (See Figure 4).

As per Claims 10 and 20, Leon further discloses wherein the postage information includes a data, an origination address, a destination address, and security information (C. 12, lines 16-67; also see Figure 4).

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 3, 6, 13, 16, 21-23, 25-31, and 33-36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Leon.

As per Claims 3 and 13, Leon fails to *explicitly* disclose scanning the non-visible marks using an Infrared (IR) light. However, Leon discloses the ink can be invisible to the human eye under white light (daylight) and become apparent only under light of *specified wavelength(s)* such as UV light (C. 9, lines 18-22). Therefore, it would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify the method of Leon and include scanning the invisible ink using light of specified wavelength(s), because provides the system with flexibility since it allows for various inks and detection devices to be used when authenticating mail pieces.

As per Claims 6, 16, 21 and 29, Leon further discloses a method comprising:

- printing visible marks on the mail piece (C. 2, lines 21-62); and
- printing non-visible marks on the mail piece, wherein the visible marks and the non-visible marks indicate the postage evidence for the mail piece (C. 2, lines 21-62).

Leon fails to disclose wherein the visible marks and the non-visible marks are printed based on a *checksum* algorithm. However, Leon discloses one or more fields in the indicium can be encoded with a particular encryption algorithm (e.g., DES, RSA, or a *comparable algorithm*) or signed using a particular cryptographic or digital signature algorithm (e.g., DSA, RSA, or a

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comparable algorithm), or both (C. 11, line 63 – C. 12, line 7). Therefore, it would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify the method of Leon and include comparable algorithms, because it provides the system with a plurality of algorithms to process the postage information.

As per Claims 22 and 30, Leon further discloses wherein the non-visible marks indicate a validity of the postage evidence (C. 9, lines 23-25).

As per Claims 23 and 31, Leon further discloses wherein information represented by the non-visible marks comprises a key to information represented by the visible marks (C. 11, line 63 – C. 12, line 7).

As per Claims 25 and 33, Leon further discloses wherein the visible marks and the non-visible marks comprise a bar code (C. 2, lines 39-46).

As per Claims 26 and 34, Leon further discloses wherein the visible marks and the non-visible marks comprise Information Based Indicia (IBI) (C. 7, lines 51-55).

As per Claims 27 and 35, Leon further discloses wherein the visible marks and the non-visible marks indicate a postage amount (See Figure 4).

As per **Claims 28 and 36**, Leon further discloses wherein the visible marks and the non-visible marks indicate a data, an origination address, a destination address and security information (C. 12, lines 16-67; also see Figure 4).

9. **Claims 37-38, 40-42 and 44** are rejected under 35 U.S.C. 103(a) as being unpatentable over Leon in view of Berson et al., U.S. Patent No. 6,039,257, hereinafter referred to as Berson.

As per **Claims 37 and 41**, Leon discloses a method comprising:

- printing a visible bar code on the mail piece (C. 2, lines 21-62; also see Figure 4).

Leon fails to disclose printing a non-visible bar code on the mail piece within white space on the visible bar code, wherein the visible bar code and the non-visible bar code indicate the postage evidence for the mail piece. However, Berson et al. discloses the use of an invisible ink to print a bar code “over, or as a part of the IBI” creates additional security (C. 2, lines 24-67).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of applicant’s invention to modify the method of Leon and include printing the invisible bar code over or as part of the IBI as taught by Berson et al., because it provides the system with additional security for authenticating the mail piece.

Leon fails to disclose wherein the visible marks and the non-visible marks are printed based on a *checksum* algorithm. However, Leon discloses one or more fields in the indicium can be encoded with a particular encryption algorithm (e.g., DES, RSA, or a *comparable algorithm*) or signed using a particular cryptographic or digital signature algorithm (e.g., DSA, RSA, or a *comparable algorithm*), or both (C. 11, line 63 – C. 12, line 7). Therefore, it would have been

obvious to one of ordinary skill in the art at the time of applicant's invention to modify the method of Leon and include comparable algorithms, because it provides the system with a plurality of algorithms to process the postage information.

As per **Claims 38 and 42**, Leon discloses wherein the non-visible bar code indicates a validity of the postage evidence (C. 9, lines 23-25).

As per **Claims 40 and 44**, Leon discloses wherein the visible bar code and the non-visible bar code comprise Information Based Indicia (IBI) (C. 7, lines 51-55).

Conclusion

10. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Examiner's Note: Examiner has cited particular columns and line numbers in the references as applied to the claims below for the convenience of the applicant. Although the specified citations are representative of the teachings in the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested that the applicant, in preparing the responses, fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the examiner.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Fadey S. Jabr whose telephone number is (571) 272-1516. The examiner can normally be reached on Mon. - Fri. 7:30am to 4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Hayes can be reached on (571) 272-6708. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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Fadey S Jabr
Examiner
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FSJ

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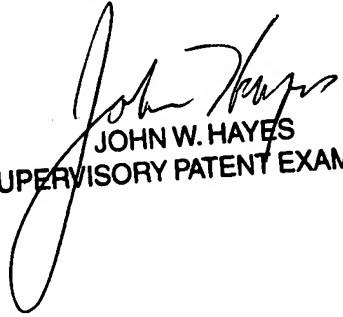
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or faxed to:

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JOHN W. HAYES
SUPERVISORY PATENT EXAMINER